

**REMARKS**

**Information Disclosure Statement**

Initially, Applicant respectfully requests that the Examiner return a copy of PTO-1449 listing six Japanese documents filed November 12, 2004, with the Examiner's initials on each of the documents indicating acknowledgment of these documents.

**Status of Claims**

Claims 1, 3, 4 and 7-9 are pending and rejected.

Claims 1, 3, 4, 8 and 9 have been amended to correct informalities in the claim language and to more clearly define the claimed subject matter. Support of the amendments may be found, for example, at page 18, line 19 – page 20, line 2 of the specification. Claims 11 and 12 have been added to recite additional subject matter disclosed in the original specification that was not previously claimed. Support of these new claims may be found, for example, at page 10, line 20 – page 20, line 2 and page 22, line 19 – page 23, line 7 of the specification. Claim 7 has been cancelled.

**Rejection under 35 U.S.C. §103(a)**

Claims 1, 3, 4 and 7-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Magee et al. (USP 5,835,493) in view of Zhang et al. (USP 6,483,543). Applicant respectfully traverses this rejection for at least the following reasons.

The Examiner asserts that Magee et al. disclose the step of multiplexing the produced third TS packet string and the second TS packet string so as to produce a second transport stream. It is, however, submitted that Magee et al. fail to disclose that in the step of multiplexing,

time of receipt of a TS packet including a head byte of a PES packet in the third TS packet string is made to match the first time of receipt, and time of receipt of a TS packet of the second TS packet string is made to match the second time of receipt, as recited by the amended claim 1. It is noted that with this feature, performing stream conversion with a simple structure, for example without changing PTS and DTS, is possible.

The Examiner also asserts that Magee et al. disclose the step of determining time of receipt of a TS packet including a head byte of a PES packet in the first TS packet string as first time of receipt. Specifically, the Examiner asserts that the time each transport packet carrying a PCF is received corresponds to the first time of receipt. Applicant respectfully submits that the first time of receipt of the present application is the time of receipt of a TS packet including a head byte of a PES packet in the first TS packet string separated from TS, which is entirely different from the time transport packet carrying a PCF is received.

Further, the Examiner asserts that Magee et al. disclose the step of determining time of receipt of a head byte of each TS packet forming the second TS packet string as second time of receipt. Specifically, the Examiner asserts that the time when the PCR bearing transport packet is transformed on the DM bus corresponds to the second time of receipt. Applicant respectfully submits that the second time of receipt of the present invention is the time of receipt of a head byte of each TS packet in the second TS packet string separated from TS, which is entirely different from the time transport packet is transferred on the bus.

In order to establish *prima facie* obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. *In re Rokya*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974). At a minimum, the cited prior art does not disclose expressly or inherently

the above recited limitation. Therefore, Applicant respectfully requests that rejection of Claim 1 be withdrawn.

It is submitted that since none of the cited prior art discloses expressly or inherently the limitations recited by the amended claim 3, this claim is allowable. In addition, since Claim 3 is a dependent claim upon Claim 1, it is submitted that this claim is also allowable at least the same reasons as Claim 1. In addition, with regard to new claims 11 and 12, none of prior art discloses expressly or inherently the limitation recited in these claims.

With regard to Claims 4, 8 and 9, each of which essentially recite the same limitation as Claim 1, it is submitted that these claims are allowable at least the same reasons as Claim 1.

### **CONCLUSION**

Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicant's attorney at the telephone number shown below.

Respectfully submitted,

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**Date: August 17, 2007**